

Message Text

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ACTION AF-10

INFO OCT-01 EUR-12 ISO-00 HA-05 SCS-06 SS-15 SP-02
NSC-05 CIAE-00 INR-10 NSAE-00 PA-01 ICA-11 L-03
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FM AMEMBASSY LAGOS

TO SECSTATE WASHDC PRIORITY 7685

INFO AMEMBASSY LONDON PRIORITY

LIMITED OFFICIAL USE SECTION 1 OF 2 LAGOS 4316

LONDON: SEITZ PLEASE PASS CHARLES BROWER OF WHITE AND CASE

E. O. 11652: N/A

TAGS: CASC, EFIN, NI, US

SUBJECT: DETENTION AND RELEASE OF AMCIT LEFEVRE

1. IT MAY BE USEFUL TO SUBMIT FOR THE RECORD THE FOLLOWING APPROXIMATE RECAPITULATION OF THE EVENTS OF MARCH 30 TO APRIL 3 CONCERNING THE EVOLUTION OF THE AIIC/AIG PROBLEM AND THE DETENTION OF LOUIS LEFEVRE. (THE DEPARTMENT WILL RECALL THAT LEFEVRE, AIIC INSURANCE COMPANY MANAGER IN LAGOS, HAD BEEN INITIALLY DETAINED AND SUBSEQUENTLY JAILED IN IKOYI PRISON A WEEK EARLIER. VARIOUS EMBASSY TELEGRAMS CONTAIN A RECORD OF THE EVENTS UP TO MARCH 27. LEFEVRE WAS RE-LEASED FROM JAIL APRIL 3.)

2. AT 8:15 A.M. THURSDAY, MARCH 30, OFFICIAL CONSULAR ACCESS TO LEFEVRE AT IKOYI PRISON WAS FINALLY OBTAINED FOLLOWING A WEEK OF ASSIDUOUS BUT UNSUCCESSFUL EFFORT BY THE EMBASSY. (AS PREVIOUS TELEGRAMS HAVE INDICATED, EMBASSY PERSONNEL HAD NONETHELESS SUCCEEDED IN VISITING LEFEVRE TWICE DURING THAT WEEK BUT HAD NOT IDENTIFIED THEMSELVES.) AN EMBASSY CONSULAR OFFICER VISITED LEFEVRE

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FOR ABOUT 15 MINUTES. LEFEVRE SIGNED A PRIVACY ACT STATEMENT.

3. AT 9 A.M., ACCOMPANIED BY AIG EXECUTIVE GEORGE ABOUZEID, CHARLES BROWER (LAWYER FROM THE FIRM OF WHITE AND CASE), DICK RITTER (LEFEVRE'S REPLACEMENT IN LAGOS) AND AN EMBASSY CONSULAR OFFICER, LEFEVRE APPEARED AT THE MAGISTRATE'S

COURT. THE MAGISTRATE OFFERED BAIL OF 5,000 NAIRA EACH TO LEFEVRE AND FRED EGBE, AIIC LAWYER. THEY ACCEPTED, AND THE CASE WAS ADJOURNED UNTIL APRIL 25.

4. ON FRIDAY MORNING, MARCH 31, OFFICERS OF THE CRIMINAL INVESTIGATION DIVISION (CID) APPEARED AT LEFEVRE'S HOME AND REQUESTED THAT HE ACCOMPANY THEM TO CID HEADQUARTERS FOR QUESTIONING. ABOUZEID AND BROWER INFORMED AMBASSADOR EASUM OF THIS DEVELOPMENT. THE AMBASSADOR INSTRUCTED AN EMBASSY CONSULAR OFFICER TO SEEK OUT THE CID COMMISSIONER TO FIND OUT THE REASON FOR SUCH QUESTIONING. THE CONSULAR OFFICER CALLED ON THE CID COMMISSIONER AT NOON. THE COMMISSIONER HAD NO INFORMATION AND TOLD THE CONSULAR OFFICER TO TELEPHONE HIM AT 3 P.M. AFTER REPEATED CALLS BEGINNING AT 3 P.M., THE CONSULAR OFFICER REACHED THE COMMISSIONER AROUND 4 P.M. TO LEARN THAT A DETENTION ORDER HAD BEEN SIGNED BY THE INSPECTOR GENERAL OF POLICE UNDER A MILITARY DECREE OF 1967 AND THAT LEFEVRE HAD BEEN TAKEN TO KIRIKIRI PRISON ON THE OUTSKIRTS OF LAGOS. THE COMMISSIONER SAID THAT NO CHARGES HAD BEEN FILED. HE SAID THAT UNDER THE TERMS OF THIS PARTICULAR DECREE, NO BAIL WAS PERMITTED AND DETENTION COULD BE FOR AN INDEFINITE PERIOD.

5. AN HOUR LATER THE AMBASSADOR MET WITH ABOUZEID, BORWER, RITTER AND EMBASSY OFFICERS TO DISCUSS THE EMBASSY'S NEXT LIMITED OFFICIAL USE

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MOVES. THE AMBASSADOR INSTRUCTED THE EMBASSY DCM TO ACCOMPANY ABOUZEID, BROWER AND RITTER TO THE RESIDENCE OF AMBASSADOR FABUNMI, DIRECTOR OF LEGAL AND CONSULAR AFFAIRS IN MEA. (AS INDICATED BY PREVIOUS EMBTELS, FABUNMI WAS WELL FAMILIAR WITH THE CASE AND WAS RESPONSIBLE FOR THE AUTHORIZATION OF CONSULAR ACCESS UTILIZED ON MARCH 30.) FABUNMI WAS CORDIAL AND PROMISED TO DO WHAT HE COULD BUT WAS UNABLE TO GIVE ANY ASSURANCES THAT HE WOULD BE ABLE TO OBTAIN ANY USEFUL INFORMATION.

6. MEANWHILE AN EMBASSY CONSULAR OFFICER WAS DISPATCHED DIRECTLY TO THE RESIDENCE OF THE DIRECTOR OF PRISONS TO REQUEST PERMISSION TO SEE LEFEVRE. THE CONSULAR OFFICER DID NOT FIND THE DIRECTOR AT HOME BUT ARRANGED WITH HIS WIFE FOR A MEETING WITH HIM THE NEXT MORNING, SATURDAY. AN EMBASSY CONSULAR OFFICER CALLED ON THE PRISON DIRECTOR AT HIS HOME AT 8:30 A.M., SATURDAY APRIL 1. AFTER THE CONSULAR OFFICER HAD REVIEWED THE BACKGROUND OF THE CASE WITH THE PRISON DIRECTOR, SHOWING HIM THE WRITTEN MEA/CID AUTHORIZATION FOR CONSULAR ACCESS OBTAINED SEVERAL DAYS EARLIER WHEN LEFEVRE WAS IN IKOYI PRISON, THE PRISON DIRECTOR AGREED TO ACCOMPANY THE CONSULAR OFFICER TO THE

KIRIKIRI PRISON TO ARRANGE AN INFORMAL VISIT TO LEFEVRE.
LEFEVRE WAS SEEN AT 11:30 A.M HE WAS AWARE OF THE
DETENTION ORDER, THE FACT THAT NO CHARGES HAD BEEN FILED,
AND THE NO-BAIL PROVISION OF THE DECREE. HE WAS CALM, IN
GOOD HEALTH AND STATED THAT THE TREATMENT WAS EQUITABLE
UNDER NIGERIAN LAW. HE PROVIDED A LIST OF HIS NEEDS TO
BE GIVEN TO HIS WIFE, AND REQUESTED THAT PERMISSION TO VISIT
BE ARRANGED FOR HIS WIFE AND LAWYERS. HE ALSO STATED THAT
EGBE AND OSHODI (AIIC DEPUTY GENERAL MANAGER) WERE BEING
HELD AT BADAGRY PRISON, NOT AT KIRIKIRI PRISON. THE
CONSULAR OFFICER REPORTED HIS VISIT TO MRS. LEFEVRE,
AIIC/AIG PERSONNEL, THE AMBASSADOR AND THE DEPARTMENT.

7. ON SATURDAY (APRIL 1) ABOUZEID AND BROWER ASKED AN
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EMBASSY OFFICER TO REQUEST THAT THE AMBASSADOR ARRANGE A
MEETING FOR MRS. LEFEVRE WITH THE PRESIDENT OR WITH
SECRETARY VANCE TO SEEK THEIR SUPPORT FOR LEFEVRE'S RE-
LEASE. THE EMBASSY OFFICER SUCCEEDED IN APPRISING THE
AMBASSADOR OF THIS REQUEST AS THE AMBASSADOR AND SECRETARY
VANCE WERE ABOUT TO GO ON STAGE AT THE NATIONAL THEATER

NOTE BY OC/T: MESSAGE DELAYED IN TRANSMISSION.

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ACTION AF-10

INFO OCT-01 EUR-12 ISO-00 HA-05 SCS-06 SS-15 SP-02
NSC-05 CIAE-00 INR-10 NSAE-00 PA-01 ICA-11 L-03
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P 061555Z APR 78
FM AMEMBASSY LAGOS
TO SECSTATE WASHDC PRIORITY 7686
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LONDON: SEITZ PLEASE PASS CHARLES BROWER OF WHITE AND CASE

JUST PRIOR TO THE PRESIDENT'S ARRIVAL FOR HIS SPEECH.
(ABOUZEID INSISTED THAT HE BE INFORMED OF THE EXACT TIME
THE AMBASSADOR WAS GIVEN HIS REQUEST.) LATER SATURDAY
EVENING, BROWER SUCCEEDED IN REACHING THE AMBASSADOR BY
TELEPHONE TO REITERATE THE REQUEST. THE AMBASSADOR SAID
HE DID NOT KNOW WHETHER SUCH A MEETING COULD BE ARRANGED.
HE SAID HE HOPED IT WOULD NOT BE NECESSARY, STATING HE WAS
TRYING TO REACH A SATISFACTORY SOLUTION TO THE PROBLEM AT
A LOWER LEVEL.

8. LATER THAT EVENING, THE AMBASSADOR WAS SUCCESSFUL IN
BRINGING SECRETARY VANCE AND COMMISSIONER OF EXTERNAL
AFFAIRS GARBA TOGETHER AT STATE HOUSE MARINA FOR AN INFORMAL
DISCUSSION OF THE LEFEVRE PROBLEM. COMMISSIONER GARBA SAID
HE WOULD LOOK INTO THE PROBLEM. THE AMBASSADOR REMINDED
GARBA HE HAD MADE A SIMILAR PLEDGE TO THE AMBASSADOR
SEVERAL DAYS EARLIER AT THE CLOSE OF A CONVERSATION ON
OTHER SUBJECTS WITH AMBASSADORS YOUNG AND EASUM. THE
AMBASSADOR RESTATED IN FORCEFUL TERMS THE EMBASSY'S AND
DEPARTMENT'S CONTINUING AND LONG-STANDING CONCERN OVER CASES
OF DENIAL OF CONSULAR ACCESS TO AMERICAN CITIZENS. ASSISTANT
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SECRETARY MOOSE, DEPUTY ASSISTANT SECRETARY HORMATS, AND
ECONOMIC COUNSELOR CAHILL WERE PRESENT FOR ALL OR PARTS
OF THIS CONVERSATION. (GARBA REMARKED "YOU'VE GOT YOUR
WHOLE TEAM ON ME.")

9. THE FOLLOWING MORNING (SUNDAY, APRIL 2) AT THE CLOSE
OF BILATERAL ECONOMIC DISCUSSIONS BETWEEN PRESIDENT CARTER
AND GENERAL OBASANJO IN THE CONFERENCE ROOM AT STATE HOUSE,
ECONOMIC COUNSELOR CAHILL OBTAINED AGREEMENT FROM FINANCE
MINISTER PERMSEC BELLO TO RECEIVE CAHILL IN HIS OFFICE THE
NEXT MORNING TO DISCUSS THE COMPANY'S "COMPROMISE PROPOSALS."
BELLO PROMISED TO REVIEW THE PROPOSALS CAREFULLY AND TO
SET UP "THE NECESSARY MEETINGS" FOR AIIC/AIG OFFICIALS
WITHIN A DAY OR TWO THEREAFTER. (SEPTTEL REPORTS ON SUBSEQUENT
ENCOURAGING DEVELOPMENTS ON THIS FRONT.)

10. IN A SEPARATE CONVERSATION, GARBA TOLD AMBASSADOR
EASUM THAT HE HAD DISCUSSED THE LEFEVRE PROBLEM WITH
INSPECTOR GENERAL OF POLICE ALHAJI M.D. YUSUF AND THAT THE
AMBASSADOR SHOULD CONTACT YSUF.

11. THE AMBASSADOR AND THREE EMBASSY STAFF MEMBERS MET WITH
THE INSPECTOR GENERAL AT 3 P. M. SUNDAY AT THE AMBASSADOR'S
RESIDENCE. YSUF WAS COOPERATIVE AND CANDID. HE EXPLAINED
THE BACKGROUND OF THE CASE, STATING THAT THE INVESTIGATION OF

LEFEVRE AND HIS ASSOCIATES WAS BEING CONDUCTED BY HIS OFFICE AT THE REQUEST OF THE MINISTRY OF TRADE. HE SHOWED US THE LETTER OD REQUEST, SIGNED ON BEHALF OF THE PERMSEC OF TRADE AND DATED MARCH 21. THE LETTER ALLUDED TO AN ALLEGEDLY ILLEGAL LOAN FROM AIIC TO A LOCAL CONSTRUCTION COMPANY, THUS ESTABLISHING A PRESUMPTION OF A "CONSPIRACY TO STEAL" 450,000 NAIRA. YSUF SAID HIS INVESTIGATORS BELIEVED THAT EGBE MIGHT BE THE ONLY ACTUAL CULPRIT. WHERE-
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AS THE INVESTIGATION MIGHT REVEAL MALFEASANCE BY LEFEVRE AND/OR OSHODI, FOR THE MOMENT BOTH MEN WERE BEING HELD IN THEIR CAPACITY AS MATERIAL WITNESSES REGARDING EGBE'S ACTIVITIES.

12. THE AMBASSADOR PRESSED YUSUF ON WHY IT HAD BEEN NECESSARY TO DETAIN LEFEVRE AGAIN AFTER HE HAD BEEN RELEASED ON BAIL. YUSUF RESPONDED THAT HIS INVESTORGATORS FEARED LEFEVRE WOULD SKIP THE COUNTRY. ONCE LEFEVRE HAD GONE, THE CASE AGAINST EGBE WOULD COLLAPSE. THE ONLY WAY THE CID COULD INSURE LEFEVRE'S CONTINUING AVAILABILITY AS A MATERIAL WITNESS WAS TO KEEP HIM EITHER IN DETENTION OR IN JAIL. THE MAGISTRATE HAD THROWN A MONKEY WRENCH INTO CID'S INVESTIGATION BY REFUSING TO PERMIT CID ACCESS TO LEFEVRE WHILE HE WAS IN THE IKOYI PRISON. UNDER THE DETENTION ORDER SIGNED BY YSUF (WHICH RESULTED IN LEFEVRE'S BEING JAILED AT KIRIKIRI PRISON), THE MAGISTRATE HAD NO FURTHER AUTHORITY TO PREVENT ACCESS AND THEREFORE THE INVESTIGATION COULD CONTINUE.

13. YSUF THEN SAID HE HAD DECIDED TO LIFT THE DETENTION ORDER. LEFEVRE COULD LEAVE THE PRISON THE NEXT DAY, I.E., MONDAY APRIL 3. HE WOULD OF COURSE REMAIN UNDER BAIL AND THE INVESTIGATION WOULD CONTINUE. YSUF SAID HE WANTED TO FINISH THE INVESTIGATION AS SOON AS POSSIBLE AND PERHAPS "BY THE END OF THE WEEK." HE ADMITTED OBLIQUELY THAT HIS INVESTIGATORS HAD BOTCHED THE INVESTIGATION TO DATE, HAVING PRESENTED AN IMCOMPLETE CASE TO THE MAGISTRATE. HE WANTED NOW TO "SCRAPE THE SLATE CLEAN."

14. CITING YSUF'S EARLIER REFERENCE TO CONCERN THAT LEFEVRE WOULD SKIP THE COUNTRY, THE AMBASSADOR ASKED WHY YUSUF WAS NOW WILLING TO LIFT THE DETENTION ORDER. YUSUF REPLIED THAT HE WAS UNDER "INCREDIBLE PRESSURE," INCLUDING FROM VERY HIGH LEVELS OF THE GOVERNMENT AND PARTICULARLY FROM "SPECIAL FRIENDS" OF EGBE'S. HE WAS "SICK
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OF THIS MESS." HE ALSO IMPLIED THAT SOME OF HIS STAFF HAD BEEN BOUGHT OFF AND THAT, WHEN HE HAD TIME, HE WAS GOING TO "GET TO THE BOTTOM OF THAT AS WELL."

15. THE NEXT MORNING, MONDAY, APRIL 3, AT THE DEPARTURE CEREMONY FOR PRESIDENT CARTER AT THE AIRPORT, THE AMBASSADOR CONFIRMED WITH YUSUF THAT THE DETENTION ORDER WOULD BE LIFTED LATER IN THE DAY. LEFVRE WAS IN FACT RE-LEASED AT 6 P.M. THAT EVENING. EGBE AND OSHODI WERE RE-LEASED AS WELL, FROM BADAGRY PRISON. LEFEVRE WAS BACK AT HOME THAT NIGHT BY 9 P.M., HAVING SIGNED A NUMBER OF PAPERS AND AFTER PAYING AN ADDITIONAL 5,000 NAIRA POLICE BAIL.
EASUM

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Message Attributes

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